

Minutes of the 2 October 2012
Regular Meeting of the Yancey County Board of Commissioners
Held at 7:00 o'clock p.m. in the Yancey County Courtroom
Yancey County Courthouse, Burnsville, North Carolina

Present at the 2 October 2012 meeting of the Yancey County Board of Commissioners were Chairman Johnny Riddle, Commissioner Jill Austin, Commissioner Dale England, Commissioner Michele Presnell, Commissioner Marvin Holland, County Manager Nathan Bennett, Clerk to the Board Jason Robinson, County Attorney Donny Laws, members of the media, and members of the general public.

Call to Order and Approval of Agenda

Chairman Riddle called the meeting to order. He then asked Commissioner Presnell to deliver the invocation. Chairman Riddle then led everyone in the Pledge of Allegiance. Chairman Riddle then asked for a motion to approve the agenda. Commissioner Holland made a motion to approve the agenda and it was seconded by Commissioner England. The vote to approve was unanimous. (Attachment A)

Approval of the Minutes

The Board next considered the minutes from the September 4th regular meeting. Commissioner England made a motion to approve those minutes and it was seconded by Commissioner Holland. The vote to approve was unanimous.

Public Comment

The first person to speak before the Board was Bill Grover. He spoke about the freedom of speech. He spoke about a court case involving the Muslim Brotherhood and the prosecution being denied access to the evidence in the case. The next person to speak before was Wayne Rathburn who asked the Board for a law against shooting from the roads in Yancey County. The next person to speak before the Board was Anthony Robinson who spoke about the decay of our country and how that decay had been planned for several years by the elitists. The final person to speak before the Board was Benny Riddle who also would like to see a law about shooting from the road. According to Mr. Riddle, Yancey is one of the few counties in the state to not have a shooting from the road law.

Recognition and Speech

The Board next recognized and heard a speech delivered by Mikayla Hughes, a sophomore at Mountain Heritage High School who has won for creed speaking at the state FFA level. Mikayla delivered the speech that she won with at the state level and is going on to the national level in Indianapolis, Indiana later in October.

Change of Regular Meeting Dates

The Board next heard from County Manager Nathan Bennett concerning two upcoming regular meetings of the Board. According to Mr. Bennett, the November regular meeting occurs on Election Day and the regular meeting in January occurs on New Year's Day. Also according to Mr. Bennett, if the meeting falls on Election Day then traditionally it has been rescheduled. After discussion, Commissioner Presnell made a motion to move the November regular meeting to Thursday, November 1, 2012 at 7:00 pm. The motion was seconded by Commissioner England and the vote to approve was unanimous. After discussion about a possible date for the January meeting, Commissioner Holland made a motion to move the January meeting to Thursday, January 3, 2013 at 7:00 pm. The motion was seconded by Commissioner Austin and the vote to approve was unanimous.

Board Appointments

The Board next heard from County Manager Nathan Bennett concerning the appointment of an individual to the Western Highlands Area Authority Board of Directors. This appointment is for a community representative and is currently held by Mr. Joe Martin. Mr. Martin has indicated his willingness to be reappointed to the position. According to Mr. Bennett, Mr. Martin has a long career of dealing with mental health and is well respected for his work. Upon hearing from Mr. Bennett, Commissioner England made a motion to reappoint Mr. Martin to the Western Highlands Area Authority Board of Directors. The motion was seconded by Commissioner Austin and the vote to approve was unanimous. The Board next considered an appointment to the Yancey County Long Term Care Advisory Committee. The Board was made aware that Mrs. Nina Burleson had filled out a nomination form and was the name that was

submitted by the regional ombudsman. Upon discussion of the nomination, Commissioner Presnell made a motion to appoint Nina Burleson to the Yancey County Long Term Care Advisory Committee. The motion was seconded by Commissioner Holland and the vote to approve was unanimous.

County Manager Business

The Board next heard from County Manager Nathan Bennett. Mr. Bennett first brought before the Board an update on the situation concerning North Main Street. A letter was sent to DOT and there have been verbal conversations with the area engineer and other regional employees. According to Mr. Bennett we are waiting to officially hear from DOT. In the meantime the County has moved forward and we have discussed with the Town of Burnsville to piggy back on another paving project at Indian Trail to have the North Main Street section paved as well. The cost of the paving would be around \$10,000 and the County would like to have the Town of Burnsville, and the First Baptist Church to go in with Yancey County in a cost sharing proposition. Mr. Bennett stated that he would like the Board to authorize him to appropriate up to \$4,000 for the paving of the North Main Street project. Commissioner Presnell then stated that she had seen an architectural drawing where the area that was in question was incorporated into plans for the church and she felt that the church should be the one to pave the area. Johnny Hensley, a representative of First Baptist Church stated that the church's property only comes up to the sidewalk and that the architectural drawings were just for illustrative purposes. Commissioner Holland stated that he would like for the Town of Burnsville to be approached about accepting a quitclaim deed for the property from the county and adding the area in question to their Powell Bill money, which is for sidewalks and paving inside towns and cities. Upon discussion ending, Commissioner England made a motion to authorize County Manager Nathan Bennett to appropriate up to \$4,000 to pave the area beside First Baptist Church on North Main Street in conjunction with the Town of Burnsville and First Baptist Church. The motion was seconded by Commissioner Austin. The vote to approve was 3 to 1 with Commissioners Austin and England voting aye along with Chairman Riddle. Commissioner Presnell voted no and Commissioner Holland abstained from voting. Mr. Bennett then moved to the North Carolina License Plate Agency which opened today. Mr. Bennett reported that there were some issues related to the state owned equipment and software but otherwise it was a good day. Commissioner Holland stated that he would like to commend the look of the office, that it looked very professional. County Manager Nathan Bennett asked everyone to still be patient that this was a learning experience for everyone. Mr. Bennett next gave the Board an update on the East Yancey Sewer Project. Mr. Bennett reported that the laboratory at the sewer plant is under construction and the main building is almost complete. According to Mr. Bennett the sewer plant is slightly (2-3 weeks) behind because of weather and other unanticipated delays. Pipe installation is progressing as planned with the only problem being with the U.S. Fish and Wildlife and the Army Corp of Engineers. The engineers are still working with both of these agencies to find a suitable resolution. Also according to Mr. Bennett the pipe installation could be delayed due to the mandatory trout stream moratorium from October 15-April 15. Because of this and the issue with the Army Corp of Engineers some of the pipe installation work will continue and other work will have to be delayed until after April 15, 2013. Chairman Riddle asked Mr. Bennett about some instances where some lines were cut on private property. Mr. Bennett said that the property owners needed to contact him and the contractors would be glad to fix it. Mr. Bennett next updated the Board on the TRACTOR facility. Mr. Bennett reported that there was a great crowd at the grand opening and had a very good grand opening with growers and buyers attending. Mr. Bennett also gave the Board an update on the NC Catalyst Grant that the County has secured for funding of the Yancey County Senior Center in the amount of \$500,000. Mr. Bennett further stated that funding from USDA is also being sought and we are waiting on the decision from USDA.

County Attorney Business

County Attorney Donny Laws informed the Board that he had no business to bring before them this month.

Commissioner Business

Chairman Riddle then asked any of the Board if they had any announcements or business. Commissioner Presnell stated that she wanted to make sure that the folks who have done work at the Green Mountain voting house would be reimbursed. County Manager Bennett stated that they had already been reimbursed. Commissioner Presnell also asked County Manager Bennett to check on getting a guardrail on Blue Rock Road near the Newdale side of the road. She also stated that she would like to see Locust Creek Road opened up and that Tina Tilley with the

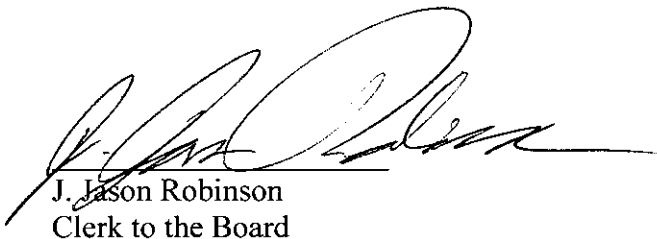
United States Forest Service has signed a paper stating that she would like to see it opened up. Commissioner Holland next stated that he had received an email from Amy Sheele from Graham's Children about the possibility of funding for shelters at the new Cane River Park. Mr. Bennett stated that there is money in the budget for smaller shelters and that we are looking at getting some funds for a larger shelter and the labor is going to be donated to build those shelters. Chairman Riddle then informed the Board that at the Toe River Board of Health meeting that he attended that a lady was there that had some money for some recreational projects through the North Carolina Transformation Project. He stated that it might be worth looking into for our recreation park. Chairman Riddle also mentioned that Mayland has the highest enrollment in 4 years and a retention rate. This is important because Mayland is preparing people for jobs that are hopefully coming.

Adjournment

Having no further business Commissioner Holland made a motion to adjourn and it was seconded by Commissioner England. The vote to adjourn was unanimous.

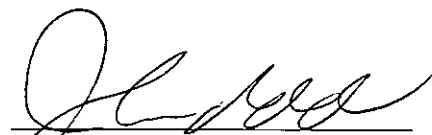
Approved and authenticated on this the _____ 1st _____ day of November 2012.

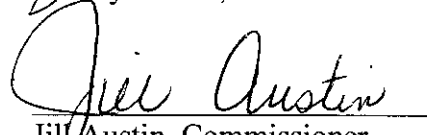
Attest:


J. Jason Robinson
Clerk to the Board

(county seal)




Johnny Riddle, Chairman


Jill Austin, Commissioner


Dale England, Commissioner


Michele Presnell, Commissioner


Marvin Holland, Commissioner

COUNTYMANAGER
Nathan Bennett



COMMISSIONERS
Jill Austin
Dale England
Marvin Holland
Michele Presnell
Johnny Riddle

YANCEY COUNTY

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AGENDA
YANCEY COUNTY BOARD OF COMMISSIONERS
REGULAR BUSINESS MEETING
October 2, 2012
7:00 P.M.

- I. Call to Order – Chairman Johnny Riddle
- II. Invocation and Pledge of Allegiance to the Flag
- III. Approval of the Agenda
- IV. Approval of Minutes
- V. Public Comment
- VI. Recognition and Speech – Mikayla Hughes, State FFA Winner
- VII. Change of Regular Meeting Dates
 - (a) November Due to Election Day
 - (b) January Due to New Year's Day Holiday
- VIII. Board Appointments
 - (a) Western Highlands Area Authority – Community Appointment
 - (b) Long Term Care Advisory Committee – Vacancy Appointment
- IX. County Manager Report
 - (a) North Main Update
 - (b) License Plate Agency Opening
 - (c) Special Projects Update
- X. County Attorney Report
- XI. Commissioner Reports
- XII. Adjourn